

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.74264 of 2018

Arising Out of PS. Case No.-400 Year-2018 Thana- RAMPUR District- Gaya

1. Kundan Verma @ Guddu S/o Virendra Verma
2. Manoj Sao @ Manoj Kumar Gupta, S/o Narayan Sao Both Resident of Bhairo Sthan, P.S.-Rampur, District-Gaya.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ravindra Kumar Sinha

For the Opposite Party/s : Mr. Ajay Kumar-1

CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH

ORAL ORDER

2 21-12-2018 Heard learned counsel for the petitioners and
learned Additional Public Prosecutor for the State.

This application for grant of anticipatory bail arises out of Rampur P.S. Case No. 400 of 2018, disclosing offence under Section 30(a) of Bihar Prohibition and Excise Act, 2016.

Learned counsel appearing on behalf of the petitioner contends that no offence under the provisions of Bihar Prohibition and Excise Act, 2016 is made out, even if the allegation contained in the First Information Report are taken to be correct.

I have perused the First Information Report and in my opinion, case under the provisions of Bihar Prohibition and Excise Act, 2016 is made out.



In view of the bar under Section 76(2) of the Bihar Excise Act, I am not inclined to entertain this application.

This application cannot be maintained and is accordingly dismissed.

However, the petitioner is directed to surrender before the Court below within four weeks from today and seek regular bail, if so advised. If he does so, his application for regular bail shall be considered on its own merit without being prejudiced by rejection of the present application for grant of anticipatory bail by this Court.

(Chakradhari Sharan Singh, J)

Pawan/Ragini/-

U		T	
---	--	---	--

